

## **FISCAL NOTE**

### **HB 1740 - SB 1983**

April 5, 2007

**SUMMARY OF BILL:** Includes criminally negligent homicide and reckless homicide in the list of offenses ineligible for pretrial diversion.

#### **ESTIMATED FISCAL IMPACT:**

##### **Increase State Expenditures - \$33,000 / Incarceration\***

##### Assumptions:

- According to the Department of Correction (DOC), in FY06 there were eight admissions for criminally negligent homicide. DOC estimates that one of those received pretrial diversion and under this bill would serve 0.3 years (109.58 days). According to DOC, the average operating cost per inmate per day for calendar year 2007 is \$60.16.
- One offender will be convicted of a Class E felony of criminally negligent homicide and will serve 0.3 years. The cost per inmate at 0.3 years is \$6,592.33 (\$60.16 x 109.58 days).
- In FY06, there were 25 admissions to DOC for reckless homicide. Estimate assumes two of those would have received pretrial diversion and under this bill would serve 0.6 years (219.15 days).
- Two offenders will be convicted of a Class D felony of reckless homicide and will serve 0.6 years. The cost per inmate at 0.6 years is \$13,184.06 (\$60.16 x 219.15 days). The total additional operating cost for two offenders is \$26,368.12 (\$13,184.06 x 2).
- No significant incarceration cost increase will occur due to population growth in this period.

*\*Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

#### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director